

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

Fidela Arias

INITIAL SCHEDULING ORDER

Plaintiff(s),

20 Civ. 6182 (ERK) (VMS)

-against-

La Fonda Rest Corp. et al

Defendant(s).

It is hereby **ORDERED** as follows:

- 1) Defendant(s) shall answer or otherwise move with respect to the complaint by 5/4/21.
- 2) Initial disclosures required by Rule 26(a)(1) of the Federal Rules of Civil Procedure must be completed by 6/15/21, if not yet completed. The disclosures should include as detailed a calculation of damages as possible and authorizations for release of medical and other relevant records.
- 3) Initial document requests and interrogatories will be served no later than 7/15/21. If the parties intend to issue interrogatories, they will serve no more than 7/15/21.
interrogatories. The parties are informed that the presumptive cap on the number of interrogatories is 25, including subparts.
- 4) Any joinder and/or amendments of the pleadings must be made by 7/1/21.
By this date, the parties must either stipulate to the joinder and/or amendments of the pleadings or commence motion practice for leave to join and/or amend in accordance with the Individual Rules of the District Judge assigned to this case.

- 5) If the parties expect to engage in electronic discovery, they will submit a proposed plan to the Court by not expected.
- 6) Fact discovery closes 9/1/21.

Note: Treating physicians who may be called as fact witnesses should generally provide their reports or summaries and be deposed during fact discovery. Non-party fact discovery shall be completed by this date as well.

- 7) As to expert disclosures,
 - a) The names, qualifications and area(s) of expertise of initial experts shall be served on or before not expected.
 - b) Initial expert witness reports shall be served on or before not expected.
 - c) Rebuttal expert witness reports shall be served on or before not expected.
- 8) All discovery, including any depositions of experts, shall be completed on or before 9/1/21.
- 9) On or before 9/15/21, the parties must file on ECF a joint letter to the magistrate judge confirming that discovery is concluded.
- 10) Any dispositive motion practice must be commenced by 10/1/21.

Note: Parties must consult the Individual Rules of the District Judge assigned to this case to determine, inter alia, if a pre-motion conference letter is required before a dispositive motion is filed, whether a Local Rule 56.1 statement must first be submitted with the pre-motion conference letter or motion, and whether such a motion should only be filed when fully briefed.

- 11) A proposed joint pre-trial order must be filed by 11/1/21.
- 12) Do the parties consent to trial before a magistrate judge pursuant to 28 U.S.C. § 636(c)?
 - a) Yes
 - b) No (*Do NOT indicate which party has decline to consent*)

If yes, fill out the AO 85 (Rev. 01/09) Notice, Consent, and Reference of a Civil Action to a Magistrate Judge Form and file it on ECF. See <http://www.uscourts.gov/FormsAndFees/Forms/CourtFormsByCategory.aspx>

- 13) A discovery conference is set for _____ at _____ in person / by telephone. (*The Court will schedule this date*). The conference call will be arranged and initiated by Plaintiff or Defendant (circle one) to Chambers at (718) 613-2300.
- 14) A joint discovery status letter must be filed on ECF by _____ in preparation for the discovery conference. (*The Court will schedule this date*).
- 15) A final pre-trial conference is set for_____. (*The Court will schedule this date*).
- 16) The parties may wish to engage in settlement discussions. To facilitate this process, Plaintiff(s) agree(s) to make a demand on or before 6/15/21, and Defendant(s) agree(s) to respond to the demand on or before 6/22/21
- 17) Counsel request a referral to the Court's ADR program? Yes No .
- 18) Any additional matters:

This scheduling order may be altered or amended only upon a showing of good cause based on circumstances not foreseeable as of the date hereof.

Dated: Brooklyn, New York

_____, 20____

VERA M. SCANLON
UNITED STATES MAGISTRATE JUDGE